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AUSTRALIAN COUNCIL FOR OVERSEAS AID

(INCORPORATED IN THE ACT)

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Update on East Timorese political prisoners in Jakarta

1. Twenty two East Timorese continue to be detained in the Metropolitan police station in Jakarta. They comprise 21 detainees arrested 19 November 1991 following a peaceful protest over the Santa Cruz massacre and a colleague from Bali, Fernando Araujo, who was transferred to Jakarta after his arrest in Denpasar. The 21 have now been detained for 80 days.

2. Yesterday (6/2/92), reliable sources in Jakarta reported that two of this group have been formally charged with subversion. They are JOAO FREITAS DA CAMARA, regarded by the authorities as the leader of the older students, and FERNANDO DE ARAUJO from Denpasar. They are said to be deeply shocked and upset by this new development, which carries a maximum penalty of death.

Both men have already been charged with criminal offences under articles 154 and 155 of the Criminal Code and the police have completed preparation of evidence against them on these counts. A second investigation has now commenced undertaken by the Public Prosecutor based on the Subversion Law. It is possible that the legal time limits of detention have been exceeded in their case. They are receiving visits and legal advice from the Indonesian Legal Aid Institute.

3. Fernando de Araujo is very weak and sick. He and Joao Freitas da Camara are detained together in one cell separate from the rest of the group with whom they are denied contact. They do not have adequate food, medical attention and support. They receive 3 meals a day but the quality of the food is said to be 'very bad'. As with the other students, it seems a poor diet rather than beatings or torture is being used to weaken their resistance. Both refuse to sign a statement which recognises the incorporation of East Timor, asks pardon of President Suharto, and accepts the Dili killings as a local event with no international significance. It is possible that the charge of subversion is being used to bring extra psychological pressure to bear to sign this apology.

The two men are receiving no attention from the prison doctor who is on leave attending a course. Both are devout Catholics but have had no visit from a priest or other church person. No date has been set for their trial. No family has visited (distance from Dili being a major factor) and it is obviously extremely difficult for members of the East Timorese community in Jakarta to be seen to take an interest in their situation, particularly now that they are branded as subversives.

4. 15 of the rest of the group are said to be ill mainly because of the poor food and lack of vitamins and medical attention.

5. 16 of the group have revoked the apologies they signed on 18 January when they were promised they would be released without conditions if they signed. They feel cheated and lied to. They wish to return to their

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their studies. The other 6 have refused to sign any apologies.

6. Though the situation is somewhat confusing, owing to extensions of time and the role of different jurisdictions, it appears the group can be detained legally until 24 February. This suggests that trials could commence before or on that date, unless there is political intervention to release some or all of them (which cannot be discounted in view of international interest in the cases).

Requests

a. That Australian diplomats in Jakarta visit the detainees in prison and encourage diplomats from other missions to do the same. Several of the students, and Joao Freitas da Camara in particular, are quite well known to sections of the diplomatic community.

b. That Australia urge the Dutch mission, which represents Portugal in Indonesia, to take a particular interest in the case of Joao Freitas da Camara. Joao has a Portuguese passport and has rejected Indonesian citizenship. In 1985 he sought political asylum at the Dutch embassy and voluntarily left following assurances by Dutch diplomats that his wish to leave Indonesia would be acted on.

c. That Australia urge the Japanese government to take a particular interest in Fernando de Araujo. According to Fernando, a Japanese diplomat by the name of Shirota promised him when he sought asylum at the Japanese mission in 1987 that the Japanese government would see he came to no harm.

d. That Australian diplomats in Jakarta observe any trials that take place and encourage diplomats from other missions to do the same.

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